

we can hardly wait
obscene libel

McGILL DAILY

charged to gazette
columnist robertson

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MONTREAL, WEDNESDAY, MARCH 27, 1968

3 CENTS

JOHAN FEKETE, fourth-year Honours English student, Daily columnist and longtime Administration irritant, was reprimanded yesterday by the Senate Committee on Student Discipline for his part in the Boll Weevils affair.

The committee imposed the light penalty three-and-a-half months after Principal Dr. H. Locke Robertson brought charges against Fekete and two Daily editors.

Fekete, Editor-in-Chief Peter Allnutt and Supplement Editor Pierre Fournier were charged with "participating in the publication on campus of an article which contravenes standards of decency

acceptable by and in this University... the whole incompatible with your status as a student of this University."

Allnutt and Fournier received a similar penalty from the committee two months ago.

In a 750-word report, the committee holds that the November 3 edition of Fekete's Boll Weevils column did not meet university standards of decency.

The column was a reprint of an article entitled "The Parts That Were Left Out of the Kennedy Book" which first appeared in the May 1967 issue of *The Realist*, an American satirical magazine.

The committee found that Fekete's responsibility for the publication of the article "is at least as great as that of Messrs. Allnutt and Fournier on the basis of his own testimony" before the committee.

"The committee therefore imposes the penalty of reprimand on Mr. Fekete for his role in such publication."

Fekete critical

In a statement issued after he received his penalty, Fe-

kete said: "Never have so many labored so long for so little."

He charged that "the Decency Committee has done far more to lower standards of discipline around here than I have."

Claude-Armand Sheppard, the lawyer who represented Fekete in his attempts to have the courts declare the committee out of bounds in its handling of the case, also criticized the report.

"In my view this is a fitting and symbolic climax to an administration comedy of errors," said the attorney.

Although Fekete was charged jointly with Allnutt and Fournier, he elected to plead his case separately before the committee.

At his first meeting with the committee, Fekete unsuc-

cessfully challenged the jurisdiction of the Senate body and requested a public hearing.

After his request was refused, he applied in Quebec Superior Court for a writ of evocation.

Committee proceedings were delayed until Fekete's case was rejected by Superior Court and again by the Court of Appeal.

He was summoned again February 7 and, after his request for closed circuit television of the proceedings was turned down, walked out of the hearing. The committee then placed him under administrative suspension.

The suspension was removed February 16 after an appeal by the Students' Council, and Fekete faced the committee on closed-circuit television February 29.

fekete reprimanded

FEKETE STATEMENT

The Decency Committee has done far more to lower standards of discipline around here than I have.

If the report of the Senate Committee is an example of the quality of intellectual integrity operative in McGill's administrative processes, then McGill is guilty of a much more serious offence than an alleged contravention of (still-undefined) standards of decency. The Committee has failed to come to grips with any of the positions elaborated over the period of the last four months and at the three-hour televised hearing of February 29, and has produced a dishonest and self-incriminating document.

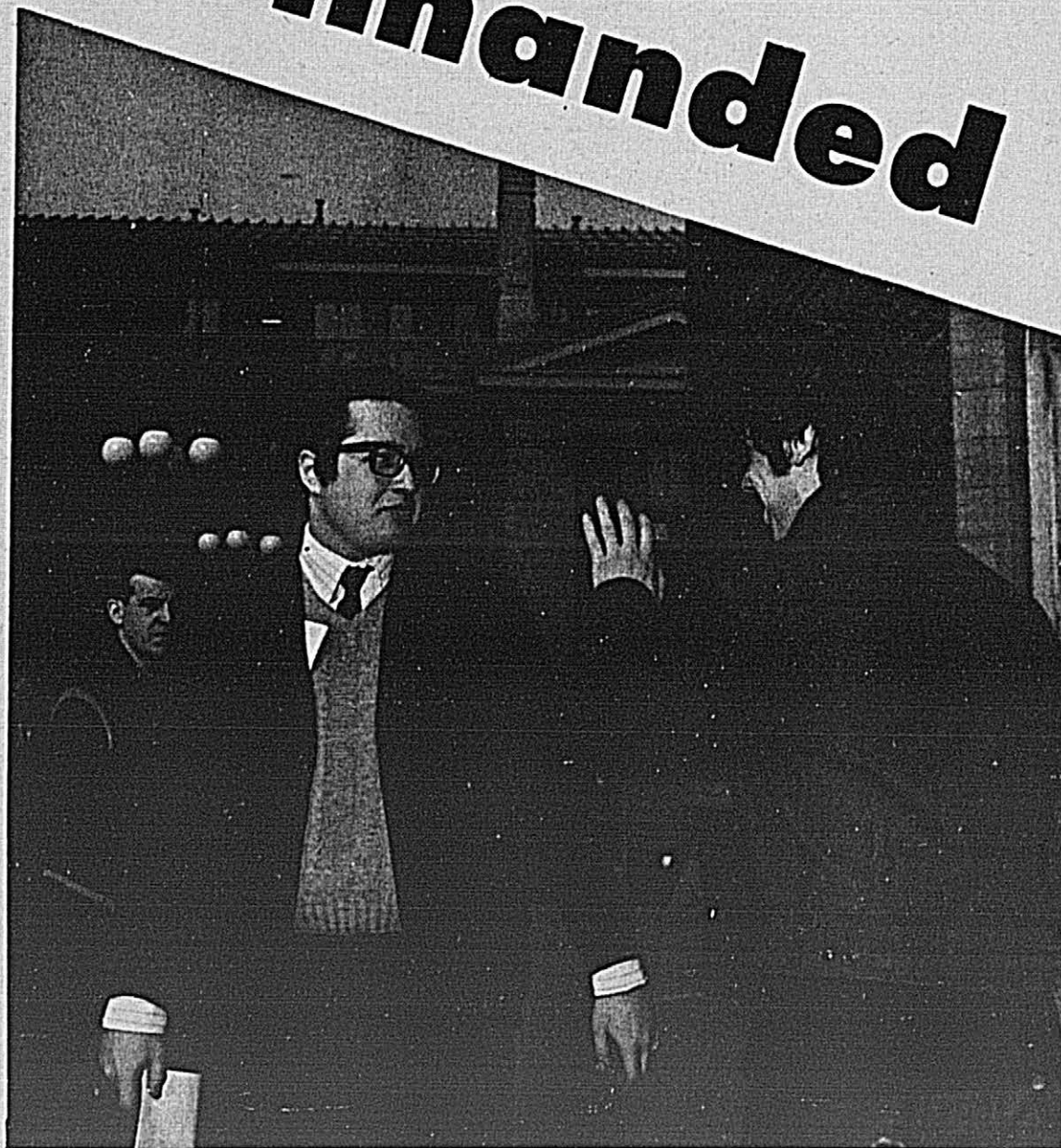
Never have so many labored so long for so little.

SHEPPARD STATEMENT

The Committee on Student Discipline has now rendered judgment on its own conduct, has found itself innocent of misconduct and has consequently acquitted itself.

In my view this is a fitting and symbolic climax to an Administration comedy of errors.

The academic community will now judge its disciplinarians.



McGILL U. LIBRARY

MAR 27 1968

PERIODICALS

Not with a bang...

The Senate Discipline Committee's statement that Mr. Fekete was being reprimanded "for the reasons outlined in the report of the Allnutt and Fournier case" might lead one to think that the Committee's first blow for decency had actually said anything; anyone who remembers that distinctly unmemorable document is aware that that is not the case. The Committee has once again chosen to evade the issues involved, a wise move since any attempt to tell us just what "standards of decency acceptable by and in this University" are would have forced it to realize the absurdity of its own position.

And so the Boll Weevils case proper is finally closed. We are left with a divided and still jumpy campus; an Administration that appears determined to encroach on the Students' Society's cherished autonomy; a potentially useful Tri-Partite Commission, and three reprimands, which make some of the more hysterical statements made last November and since look a bit ludicrous.

But then, we never could understand what the whole fuss was about anyway.



Fifty-seventh year of publication
THE OLDEST COLLEGE DAILY IN CANADA

MARCH 27, 1968

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A tip of our stetson to the masters of the big hoax... keep the faith babies and a katow to the workers of the year... ye shall return Peanut.

Ministry of Truth

Students' Council has rarely been at its best when trying to deal with the McGill Daily. Most of the Roman circuses, the marathon talkfests in the ballroom, the uncontrolled binges of accusation and recrimination, have had to do in one way or another with this journal. Daily crises have become part of this campus's way of life.

In the midst of the latest and most serious such crisis Council came up with what it thought was a final solution to the problem of the McGill Daily: a committee, with professional journalists on it, to choose the editor. The committee was duly set up. It met and recommended to Council a candidate for the editorship of the McGill Daily.

Which brings us to last Wednesday night. In a few hours certain Council members made it quite clear that they were not interested in coming to terms with the problem of Council-Daily relations. They were not interested in the publication of a responsible and independent newspaper. They were interested only in extending their own control over the paper and ensuring that the Daily would act as a mouthpiece for their point of view.

In the process they destroyed the committee that they themselves had set up. And they drove a large nail into the coffin of any useful role that this journal might play.

The methods this time were somewhat more subtle than those to which we have become accustomed. We had things like the same two professional journalists who had been proposed by Mr. Hamilton and Mr. Raboy for membership on the selection committee turning up with letters of recommendation for one of the candidates. Or a recess in the meeting for a lobbying session in Mr. Burkart's room, with the editor of the journal under discussion told to "get the hell out of here." Or the careful destruction of reputations.

Council has come to realize that direct censorship is not the only way to exercise control over a newspaper. Evidently a few select reps have discovered that if you can't order the kind of editorials you want, wipe out the whole paper with a political coup and parachute your man in. Once Council has political control over the appointment of an editor, independence can be at best a sham.

Throughout the varied changes that have been made to the Daily's constitution (without regard for a clause in that very document that says such amendments must come from the Managing Board) it has always been agreed that Council cannot directly appoint an editor and that it should only discuss competence when judging a nominee.

But last Wednesday night this was not the issue. Council rejected its committee's choice not because he was incompetent (in fact all agree he was extremely qualified) but purely on the basis of petty politics. Certain Council members feel their own political view is taking a dive and capturing the Daily is the only means to keep it alive for another year.

What in effect is the result then is a newspaper which becomes a political toy of Council. Those who have argued that the journal has been too political of late now will make it the mouthpiece of the particular faction that takes office in any given year. In other words when you have a left-wing Council you have a left-wing newspaper and when the political winds shift every major campus organization shifts with them.

Or else Council, in its usual response to problems, comes up with a compromise. That is compromise within the forces of that august body. The newspaper, its independence and integrity and its responsibility are all forgotten. So you collect the various political factions and lock them into the Daily office and wait to see what comes out. We shudder to think of it.

What is necessary is that a stop be put to the whole process now. Council members must stop judging the issues and personalities on the basis of backroom rumors. They must stop thinking they have no responsibility to anyone but themselves and can take over any newspaper at any given time to suit their own political whims.

The names of two professional journalists have already been slurred by the little men who poke their noses into Council business. A candidate has been prejudged by rumors.

It is time that the editors of this journal and the Council which represents its publishers were able to place a little faith in each other. Crying for Council control will give you the worst political rag this campus has ever seen. A hasty compromise will only bury the issue under the unread copies of a dull newspaper.

If we wish to salvage anything from this debacle we can only do it by re-establishing honest criteria, and repairing the damage caused last Wednesday.

The subject who is truly loyal to the Chief Magistrate will neither advise nor submit to arbitrary measures. — Junius

Tripartite backs present system of fee collection

The Tri-Partite Commission on the Nature of the University has recommended to the Board of Governors that it drop its suggested revision of the present system of collection of Students' Society fees.

At its meeting last Tuesday, the Commission recommended that "no change be made now in the present agreement and procedures", whereby the University administration collects Students' Society fees, but it added that it "intends to look further into the whole question and invite briefs."

The Commission's study was directed towards "the problem of the relation of Students' Society finances as well as those of the McGill Daily to the University and certain related matters."

The Commission will study other questions, including the management of the Daily and a possible Publications Board.

The issue of collecting Students' Society fees arose a month ago when the Board of Governors proposed the setting up of a committee of governors, Senate members and students to "review the present system of collection and distribution of funds."

When confronted with the Board's suggestion, Students' Council sent the Board a strongly-worded letter of protest.

The next day the Commission told the Board it would deal with the question as a natural part of its work. Its subsequent study of the matter led to last week's recommendation.

Daily editorship in question

Council rejects nominee

Students' Council last week refused to support the recommendation of its Executive Applications Committee that Mark Starowicz be appointed Editor-in-Chief of the Daily for 1968-69.

Following lengthy debate on various other topics, Council tackled the Daily ratification question in the wee hours of the morning and took the final vote at 4 am. It was 11 against, 6 in favor, with 1 abstention.

Shortly after the vote Joel Raby (Commerce) moved that Council directly appoint another applicant. Robert Cooper (Arts and Science) immediately moved to put the question and seven councillors then walked out, destroying the quorum.

Starowicz, a fourth year honours history student, had been selected by the committee of three Council members, the Daily editor, a nominee of the Daily editor, and two professional journalists, a committee set up specifically to make a recommendation.

Two of the Council members who sat on the Executive Applications Committee, John Hamilton (Arts and Science) and André Mécs (Law), read a statement into the minutes saying they could no longer support the recommendations of the committee.

The statement argued in favor of appointing George Radwanski, another applicant, and urged Council to make the appointment directly.

Julius Grey (Arts and Science), Executive Applications Director and Chairman of the

committee, pointed out that Council could not make an appointment as such but could only accept or reject the findings of the committee established to make a recommendation.

Following the meeting, members of Council found they could not have another meeting to select an editor until President Peter Smith called one, or 15 members signed a petition demanding a meeting. Neither was forthcoming.

Council members are slated to hold an informal meeting tonight to find a solution to the current debacle.

In other Executive Applications business Council approved the appointment of Larry Fenske as Chairman of Winter Carnival, Daniel Luchins as President of the Debating Union, Tony Evans as Producer of the Red and White Revue, Clayton Wright as Station Manager of Radio McGill, and Karin Hartner and Paul Duggan as co-editors of Old McGill.

Council also gave the Student Housing Committee an interest free loan of \$2,250 to assist it in establishing a Housing Corporation to provide low-cost co-op housing to students. The committee plans to purchase a house this summer and have room for 12 students by fall.

Administration newspaper proposed

The Senate Committee on Communication of Information, set up in February of 1967 to propose means of eliminating communications difficulties within the university, has advanced the establishment of a "McGill University Gazette" as the "best solution that the committee has discovered to the general problem of dissemination of some types of information."

The committee, which was chaired by Professor T. H. Barton of the Department of Electrical Engineering and included among its 16 members three students, has not yet presented its report to Senate.

The Gazette would be "an official publication, normally published weekly but, when necessary, more frequently, and with special supplements which would list all items of information relevant to the doings of the university."

"From a communications viewpoint," the recommendation continues, "the most significant items in the Gazette would be notices of meetings of Senate, and the Board of Governors and of their committees, subjects under discussion by these bodies, summaries of committee reports prepared by the committee and their recommendations, and details of decisions of Senate and the Board of Governors."

The Director of the Office of Information would be responsible for the publication of the Gazette and, "so that he be fully informed of the university's attitudes, policies and actions, he should attend, as observer, Senate and Board meetings." The committee remarks that it should be a duty of the Office of Information to gather news items of interest to the public at large and "to see that they are employed in the interests of the university." It recom-

mends that the office maintain a news file.

Forum for expression

The committee says it is "very conscious of the need for a respected and serious public forum for the expression of views of students and staff," and suggests that this need could be filled by a "campus newspaper which would contain news items about and relevant to the university, articles of information, and expressions of opinion from both faculty and students in the form of both articles and letters to the editor." It would include the Gazette as a supplement. The committee terms the McGill Daily "unsuited to this purpose."

A joint faculty-student committee should be set up to investigate the establishment of such a publication and, meanwhile, letters from faculty and students should be published in a supplement to the Gazette.

It is further suggested that the proposed newspaper might eventually incorporate the Gazette.

Public Information

The report recommends a basic policy in which "all information regarding the university and its activities should be regarded as public information unless specifically decided otherwise," as a "first step towards establishing a climate of confidence and trust throughout the university community."

The committee acknowledges that "due often only to poor communication, actions and decisions taken reach members of the university slowly or not at all and are all too easily interpreted as arbitrary, dictatorial, insensitive and paternalistic." It recognizes that "the necessary attitude of confidence and trust does not exist at this time, particularly among the junior staff and students."

To advance "the integration of junior staff into university affairs", it is recommended that "assistant professors should become full members of their faculties." The recommendation is not extended to lecturers because the latter are in many areas "a transient body filling the dual role of staff member and graduate student."

The committee recognizes that "all students have a vital interest in administrative information; an appreciable number have a very real interest in democratic information. The student view that the university has a poor performance in both these areas is so widespread that it cannot be dismissed as the opinion of an irresponsible minority."

The report goes on to state that "policy and administrative decisions affecting him seem to the student to be formulated in secret and handed down as 'faits accomplis' without reference to his needs and desires. The contention that the latter have indeed been considered is unacceptable in these days of almost complete rejection of paternalism."

No open meetings

With regard to meetings of Senate committees, the report declines to recommend that these be uniformly open, remarking that "reported experience of such meetings is not uniformly favorable." It suggests that the committee in question make its own decision on the matter.

It is, however, recommended that committee meetings be "accessible" in the sense that observers may be permitted to attend "by prior arrangement with the chairman." Committee reports would be available in the Redpath and Macdonald College libraries.

As well, minutes of Senate should be made available in the libraries. The committee suggests that a vote of Senate

be required to declare an item confidential. Minutes would carry a note to this effect in place of the omitted item.

"Student representatives, selected by the Students' Societies of the two campuses, should sit on Senate, faculties, and as many of their committees as possible," says the report, given "the tenor of the times and the intense desire of a significant portion of the student body for involvement in the university's decisions."

Senate is also urged to encourage divisions and departments and their committees to have students participate in their activities and deliberations, in view of student discontent with course content and programme requirements.

Maximize representation

The committee recommends that the number of elected representatives on Senate be maximized, noting that "democratization of university government... is an important aspect of communications." Regular departmental meetings are recommended to facilitate "the democratic flow of information."

The report goes on to suggest a joint staff-student committee chaired by the Dean of Students to co-ordinate counselling services and a counselling office to direct students to appropriate services.

Also recommended are the publication of a university diary tabulating offices and officers of the university and staff, a staff handbook outlining conditions of employment, and student and staff directories which appear within six weeks of the start of the session.

The report urges establishment of a standing committee of Senate to exercise jurisdiction over the Office of Information and to review communication needs.

As well, it is suggested that steps be taken to provide the Macdonald campus with "a sense of identity and belonging."

REPORT

on john fekete

On November 4th, 1967, the Principal, as chief disciplinary officer at the University, referred John Fekete, Peter Allnutt and Pierre Fournier, three students in their fourth and final year of undergraduate studies at McGill, to the Committee on Student Discipline. The original charge read as follows:

'Participating in the publication of an obscene libel on the campus on or about the 3rd November, 1967; namely an article in the column entitled "Boll Weevils" appearing on page 4 of the supplement called "Flux" of the McGill Daily of that date, the whole contrary to good order and incompatible with your status as a student of this University.'

The original charge was dropped on November 7th, 1967, and on that date the following charge was placed before the Committee:

'Participating in the publication on campus of an article which contravenes standards of decency acceptable by and in this University: namely, an article in the column entitled "Boll Weevils" appearing on page 4 of the supplement called "Flux" of the McGill Daily of November 3rd, 1967, the whole incompatible with your status as a student of this University.'

The first meeting of this Committee was called for Tuesday, November 7th. Unfortunately, such a meeting could not be held at that time because the Committee was physically prevented from convening. Accordingly, the meeting was postponed to Monday, November 13th. On that date the Committee agreed to a request by the parties concerned that separate hearings should be conducted for John Fekete, on the one hand, and for Peter Allnutt and Pierre Fournier on the other. On the same date the Committee heard and rejected a number of motions made by Mr Fekete's attorney, Mr C.A. Sheppard, which attacked the jurisdiction of the Committee, asked the Committee to recuse itself, and requested a public hearing. Thereafter the proceedings in the case of John Fekete were totally separate from those in the case of Peter Allnutt and Pierre Fournier. The Committee's decision in the Allnutt and Fournier case was rendered on January 24th, 1968, and the present report deals only with the case of John Fekete.

On November 16th, 1967, the Committee offered to Mr. Fekete the closed circuit television arrangements which had been made available to Messrs. Allnutt and Fournier. Through his attorney, Mr Fekete refused the offer and accordingly was advised that unless he changed his mind prior to the Committee's next meeting on November 21st the hearings would be held in private.

Mr Fekete then took proceedings in the Superior Court by way of motion for evocation and the Committee was unable to proceed with the case until Mr Fekete's motion had been dismissed by the Superior Court and until Mr Fekete's appeal was dismissed by the Court of Appeal on February 2nd, 1968.

On February 7th, 1968, Mr Fekete's attorney requested closed circuit television for the first time and in view of his previous rejection of this type of hearing (including the fact that he had strongly opposed it before the Superior Court and the Court of Appeal) his request was rejected. Mr Fekete's attorney then indicated that his client would not participate in the hearing and Mr Fekete withdrew after being warned that such withdrawal would entail immediate administrative suspension. Accordingly, such suspension was imposed forthwith.

On February 10th, after representations were made by the Students' Council, the Committee reaffirmed its position that Mr Fekete had waived any right he might have once had to a televised hearing. However, in response to the request from the Students' Council and because of the widespread student interest, the Committee agreed to a televised hearing. Mr Fekete was informed that the administrative suspension would be lifted as soon as an undertaking was received from him to the effect that he would appear before the Committee and testify. This undertaking was received on February 16th, 1968, and the suspension was lifted on the same date.

The hearing of the Fekete case finally took place on February 20th, 1968. In reply to a query from Mr Fekete's lawyer, the Committee ruled that a letter from the Principal to the Chairman of the Committee, dated February 19th and drawing attention to a new "Boll Weevils" column published on February 14th, 1968, did not constitute the laying of a new charge. Mr Fekete's attorney again made several motions requesting that the Committee decline jurisdiction, that its members recuse themselves, that a public hearing be granted in place of closed circuit television, and that the charge be dismissed as unfounded on its face. All of these requests were denied and the hearing then proceeded. The only evidence given was that of Mr Fekete and no witnesses were called by his attorney. In argument, reference was made to the numerous briefs submitted to the Committee which were also considered by the Committee in the Allnutt and Fournier case. The basic facts in the case were not disputed and were admitted by Mr Fekete at the hearing.

Mr Fekete admitted that he took the initiative in publishing the article, that he anticipated that it would produce a shock effect on the campus, and that indeed he intended that it should have this effect. He also stated that he had made the deletions from the original article by Paul Krassner which appeared in The Realist in May 1967. While he attempted to justify the publication on several grounds, he admitted that he had been warned by Mr Krassner, editor of The Realist, that publication might lead him into conflict with others on the campus. Mr Fekete recognized that both the editor of the supplement and the editor of the Daily had authority to veto publication. Nevertheless he accepted full responsibility himself.

The Committee, although aware that Mr Fekete's authority on the Daily is subject to that of the two editors, finds that his responsibility for the publication is at least as great as that of Messrs. Allnutt and Fournier on the basis of his own testimony. For the reasons given in the report of the Allnutt and Fournier case the Committee concludes that such publication contravenes standards of decency acceptable by and in this University. The Committee therefore imposes the penalty of reprimand on Mr Fekete for his role in such publication.

Senate Committee on Student Discipline